SENATE DOCKET, NO. 619 FILED ON: 1/18/2017

SENATE . . . . . No. 769

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect the rights of probationers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
William N. Brownsberger	*Second Suffolk and Middlesex*	
Paul R. Heroux	*2nd Bristol*	*2/3/2017*

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SENATE . . . . . No. 769

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 769) of William N. Brownsberger and Paul R. Heroux for legislation to protect the rights of probationers in drug courts. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *731* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act to protect the rights of probationers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 87A of Chapter 276, as it appears in the 2014 Edition of the General Laws, is hereby amended by adding the following language after the word "person." in line 23:-

No person placed on probation shall be deemed to have violated a condition of his or her probation on the basis of his or her possession or use of a controlled substance as prescribed to that person by a health professional registered to prescribe a controlled substance pursuant to Chapter 94C, acting within the lawful scope of his or her practice, or on the basis of his or her possession or use of medical marijuana, if that person received a written certification from a licensed physician for the use of medical marijuana to treat a debilitating medical condition and

the person possesses a medical marijuana registration card issued by the Department of Public Health, pursuant to Chapter 369 of the Acts of 2012.